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PART III—SECTION 4

Miscellaneous Notifications including Notifications, Orders, Advertisements and Notices issued by Statutory Bodies

STATE BANK OF INDIA NOTICE

New Delhi, the 4th October 1960

Shri K. D. Mehta, clerk, held temporary charge of Chamba Treasury Pay Office (under Amritsar Branch) from the close of business on the 25th August to the commencement of business on the 30th August 1960, vice Shri S. K. Sood.

By order
J. L. BAGGA
Secretary and Treasurer

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA (Chartered Accountants)

NOTIFICATIONS
New Delhi 1, the 4th October 1960

No. 1-CA(7)/1/60—In pursuance of clause (ii) of Regulation 62-H of the Chartered Accountants Regulations, 1949, the Council of the Institute of Chartered Accountants of India is pleased to make the following amendment in the Chartered Accountants Regional Council Bye-laws.

In the said Bye-laws:—

Renumber the existing Bye-law 27 as sub Bye-law (2) of Bye-law 27 and add the following sub Bye-law (1), namely:—

"27. (1) The funds of the Regional Council shall be kept in one of the scheduled banks approved by the Central Council in this behalf".

No. 1-CA(7)/2/60—In pursuance of sub-regulation (2) of Regulation 42C of the Chartered Accountants Regulations, 1949, the Council of the Institute of Chartered Accountants of India is pleased to make the following amendment in the Chartered Accountants Students' Association Rules.

In the said Rules:—

In Rule 26, renumber clauses (iii), (iv), (v) and (vi) as (iii), (iv), (v) and (vi) respectively and after clause (i), add the following clause (ii):—

"(ii) The funds of the Students' Association shall be kept in one of the scheduled banks approved by the Central Council in this behalf."

No. 1-CA(9)/1/60—The following draft of an amendment to the Chartered Accountants Regulations, 1949, which it is proposed to make in exercise of the powers conferred by sub-sections (1) and (3) of Section 30 of the Chartered Accountants Act, 1949 (XXXVIII of 1949), is published for information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken up for consideration on or after the 24th November 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Council of the Institute of Chartered Accountants of India, New Delhi.

In the said Regulations:—

In Regulation 46, substitute the words "two hundred and fifty" for the words "two hundred".

The 7th October 1960

No. 1-CA(3)/60—In exercise of the powers conferred by sub-section (1) of Section 30 of the Chartered Accountants Act, 1949 (XXXVIII of 1949), the Council of the Institute of Chartered Accountants of India has made the following amendments in the Chartered Accountants Regulations, 1949, the same having been previously published and approved by the Central Government as required under sub-section (3) of the said Section.

In the said Regulations:—

I. In Regulation 31B, add the following at the end:—

"Or (iii) a certificate from a surviving partner in Form "K-4" or "K-6" that the applicant has served either as an articled or as an audit clerk for the appropriate period, but is unable to produce a certificate in the prescribed form signed by the Chartered Accountant with whom he served, by reason of the death or infirmity of the Chartered Accountant or for other sufficient cause."

II. In Regulation 42A, after sub-regulation (5) insert the following:—

"(5A) In the event of the death of the employer, his legal representative shall issue to the audit clerk a certificate in Form "K-5" for the service rendered. Or in case the deceased employer was carrying on practice in partnership with another member of the Institute, the surviving partner shall issue to the audit clerk a certificate in Form "K-6" for the service rendered."

III. Change the heading of Chapter VI-A as "Standing and other Committees" instead of "Standing Committees".

IV. After the existing Regulation 62-G, insert the following:—

"62-GG(1): Committees other than Standing Committees:

(i) Committees other than Standing Committees appointed by the Council under sub-section (2) of Section 17 of the Act shall consist of a Chairman, a Vice-Chairman and such other members of the Council as may be elected on it by the Council and any other members of the Institute who may be co-opted with the sanction of the Council.

(ii) The Committees shall discharge such functions as may be decided by the Council from time to time.

(iii) The provisions contained in Regulations 62-A, 62-B, 62-C, 62-D and 62-E relating to the time and place of meetings, quorum, procedure for transaction of business, casting vote, minutes, etc., shall 'mutatis mutandis' apply to such committees except that the reference to President and Vice-President in the above Regulations shall be construed as reference to Chairman and Vice-Chairman respectively of a committee and the Secretary of the Council shall be the Secretary for only such of the committees as may be decided by the Council.

62-GG(2): Sub-Committees of Standing and other Committees:

(i) The Council or any Standing or other committee may also appoint sub-committees consisting of members of the committee concerned, and wherever necessary, co-opt members of the Institute who are not members of the Council or the committee concerned.

(ii) Each sub-committee shall have a Chairman who shall also be the Convenor of the sub-committee.

(iii) Each sub-committee shall discharge such functions as may be decided by the Council or the committee concerned from time to time.

(iv) The Chairman of a sub-committee may at any time and shall on the requisition of not less than one-third members of the sub-committee, call a meeting of the sub-committee.

(v) The meeting shall be held at such place, time and date as the Chairman may decide.

(vi) A notice of not less than seven days of every such meeting shall ordinarily be given to every member of the sub-committee.

(vii) In the event of the Chairman of a sub-committee failing to call a meeting of the sub-committee inspite of a requisition under sub-regulation (iv) above within 7 days of the receipt of the requisition, the members who had sent the requisition may themselves convene the meeting, elect their own Chairman and transact business for which the requisition had been sent.

(viii) The Chairman of any meeting of a sub-committee shall maintain a record of all the business transacted by the sub-committee.

V. In Regulation 78, for the words "costing financial and taxation matter" substitute the words "costing matter, financial matter or taxation matter".

VI. After Form "K-2" of the Schedule, insert the following Forms:—

FORM "K-3"

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Certificate of service under articles

(To be issued by the legal representative)

I,....., legal representative of late..... of do hereby certify that to the best of my information served as an articled clerk under late..... of in accordance with the Chartered Accountants Regulations, 1949, for a period of years. months and days from to and that according to the information supplied to me his progress was satisfactory and he bears a good moral character.

I further certify that according to the information supplied to me, during the above-mentioned period, the articled clerk was given leave for days by late

The entire premium of Rs..... received by late has been refunded to the articled clerk in instalment/s.

The articles were duly registered with the Council of the Institute of Chartered Accountants of India, vide Registration No..... of

Signature

(Name in block letters)

Place:

Date:

Signature of Articled Clerk

FORM "K-4"

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Certificate of service under articles

(To be issued by a surviving partner)

I, of who practised in partnership with late do hereby certify that served as an articled clerk under late in accordance with the Chartered Accountants Regulations, 1949, for a period of from to that his progress was satisfactory and that to the best of my information he bears a good moral character.

I further certify that during the above-mentioned period, the articled clerk was given leave for days.

To the best of my information, the entire premium of Rs..... received by late has been refunded to the articled clerk in instalment/s.

The articles were duly registered with the Council of the Institute of Chartered Accountants of India vide Registration No..... of

Signature

(Name in block letters)

Place:

Date:

Signature of Articled Clerk

FORM "K-5"

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Certificate of Audit Clerks

(To be issued by the legal representative)

I,....., legal representative of late..... do hereby certify that to the best of my information served as an audit clerk under late..... in accordance with the Chartered Accountants Regulations 1949, for a period of from to and that according to the information supplied to me his progress was satisfactory and he bears a good moral character.

I further certify that according to the information supplied to me, during the above-mentioned period, the audit clerk was given leave for days by late

The audit service was duly registered with the Council of the Institute of Chartered Accountants of India vide Registration No..... of

Signature

(Name in block letters)

Place:

Date:

Signature of Audit Clerk

FORM "K-6"

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Certificate of Audit Clerks

(To be issued by a surviving partner)

I, of who practised in partnership with late do hereby certify that served as an audit clerk under late..... in accordance with the Chartered Accountants Regulations, 1949, for a period of from to that his progress was satisfactory and that to the best of my knowledge he bears a good moral character.

I further certify that during the above-mentioned period the audit clerk was given leave for days.

The audit service was duly registered with the Council of the Institute of Chartered Accountants of India vide Registration No..... of

Signature

(Name in block letters)

Place:

Date:

Signature of Audit Clerk

VII. In clause 4(d)(i) of Form "L", for the letter "K", substitute the letter and figure "K-3".

VIII. In clause 5(d)(i) of Form "L-1", for the letter "K", substitute the letter and figure "K-3".

IX. In clause 5(d)(i) of Form "M", for the letter "K", substitute the letter and figure "K-3".

X. In clause 6(d)(i) of Form "M-1", for the letter "K", substitute the letter and figure "K-3".

XI. For the existing form "S" of the Schedule, substitute the following:—

FORM "S"

Particulars of offices and Firms

1. Name of Firm/Trade name of chartered accountant in practice.
2. Name(s) of the Proprietor/Partners of the firm with his/their membership number(s).
3. *Date on which the partnership was entered into.
4. Date on which the firm was started.
5. Address of the Head Office of the firm/chartered accountant in practice.
5. *Addresses of the Branch Offices of the firm/chartered accountant in practice, if any.
7. *The dates on which the branch offices were opened.
8. Name of the member with the membership number who is incharge of each of the offices, i.e. head office and branch offices.
9. Whether any of the members mentioned in 8 above are in charge of any other office of a chartered accountant in practice or a firm of such chartered accountants.
10. *Name(s) of the Member(s) of the Institute with membership number(s) who is/are working as paid assistant(s) in the firm/under the chartered accountant in practice and date of joining of each member.

Place:

Date:

Signature

*of the Proprietor/Partner of
the firm with the membership
number*

*Delete, if inapplicable.

No. 5-CA(1)/5/60-61—With reference to this Institute's Notification No. 4-CA(1)/15/57-58, dated the 17th March 1958, and the Government of India, Ministry of Commerce, Notification No. 12-A(2)/40, dated the 23rd August 1941, it is hereby notified in pursuance of Regulation 14 of the Chartered Accountants Regulations, 1949, that in exercise of the powers conferred by Regulation 13 of the said Regulations, the Council of the Institute of Chartered Accountants of India has restored to the Register of Members, with effect from the dates shown against their names, the names of the following members, namely:—

Serial No.	Membership No.	Name and Address	Restored with effect from
1	3759	Shri Rajendra Kumar Jain, A.C.A., 6, Smith Square, Civil Lines, Kanpur.	11-9-1960
2	5216	Shri Prabhat Kumar Sen, A.C.A., Director of Commercial Audit, Block No. 1, Queen Victoria Road Mess, New Delhi.	28-9-1960

The 8th October 1960

No. 1-CA(5)/60—The following draft of certain amendments to the Chartered Accountants Regulations, 1949, which it is proposed to make in exercise of the powers conferred by sub-sections (1) and (3) of Section 30 of the Chartered Accountants Act, 1949 (XXXVIII of 1949), is published for information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken up for consideration on or after the 24th November 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Council of the Institute of Chartered Accountants of India, New Delhi.

In the said Regulations:—

I. In Regulation 31, at the end of clause (a) and in Regulation 31A, at the end of clause (a) but before the word "or", add the following:—

"Provided further that the articled clerk may, with the consent of his principal, serve periods not exceeding twelve months in all during the latter half of the total period under articles in financial, commercial or industrial concerns with total assets of not less than Rs. 50 lakhs, or such other institutions and organisations as may be approved by the Council."

II. Rerumber the existing Regulation 34 as Regulation 34(1) and for the sentence "The Council may from time to time prescribe the maximum and minimum rates of premium that can be charged from an articled clerk", substitute the sentence "The maximum and minimum rates of premium that can be charged from an articled clerk shall be Rs. 2,000/- and nil respectively".

III. Add the following to Regulation 34 after sub-regulation (1) but before the proviso:—

"(2) Where the premium charged by the employer exceeds Rs. 500/-, it shall be deposited in a separate account with a Scheduled back. Where premium is to be refunde in a with a lump sum, the amount shall be invested in a fixed deposit account with a scheduled bank and the fixed deposit amount together with the interest accrued thereon shall be refunded to the articled clerk not later than 14 days after the date of completion or termination of articles, as the case may be, subject to satisfactory service and good conduct of the articled clerk."

IV. Rerumber the existing Regulation 35 as Regulation 35(1).

V. Add the following after Regulation 35(1).

"(2) A member entitled to train articled clerks shall, before executing the articles in the form prescribed under Regulation 36, require a person who is to be accepted for service under articles to serve with him for a period of sixty days hereinafter referred to as Preliminary Service.

(3) Registration of such Preliminary Service shall be made with the Institute within a period of ten days from the date of commencement of such service.

(4) If on completion of such service the member is satisfied that the person is suitable for the profession, the articles shall be executed in the prescribed form and the period of articles shall be taken to have commenced from the date of commencement of the aforesaid Preliminary Service.

(5) Nothing contained in sub-regulations (2) to (4) shall prevent the member from executing articles with a person whose name has previously been entered on the Register of Articled or Audit Clerks."

VI. In sub-regulation (b) of Regulation 35A after the words "commencement of articles" add the following:—

"or expiry of the Preliminary Service whichever is later".

VII. In sub-regulation (r) of Regulation 36 for the words "within sixty days of the execution of the articles or the commencement of the training whichever is earlier" substitute the following:—

"within ninety days of the commencement of the period of articles or within thirty days of execution of articles whichever is earlier".

VIII. In Regulation 41B add the following after the proviso and before the Explanation:—

"Provided further that the employer shall grant leave for two months or to the extent due whichever is less whenever the articled clerk applies for leave for the purpose of preparing for the Institute's examinations and that such request for leave shall be made at least fifteen days before the date from which the leave is required. The employer may, however, grant leave at his discretion for more than two months if the leave at the credit of the articled clerk exceeds two months".

IX. Insert the following Regulation after Regulation 41B:—

"41C. *Working hours for articled clerks*—Actual working hours of articled clerks shall be subject to a maximum of thirty five working hours in a week regulated according to the convenience of the employers".

X. Insert the following after sub-regulation (1A) of Regulation 42A:—

“(1B)(i) A member entitled to train audit clerks shall, before sending the particulars for registration as prescribed in sub-regulation (3), require a person who is to be taken as an audit clerk to serve with him for a period of one hundred and twenty days hereinafter referred to as Preliminary Service.

(ii) Registration of such Preliminary Service shall be made with the Institute within a period of ten days from the date of commencement of such service.

(iii) If on completion of such service the member is satisfied that the person is suitable for the profession, the date of commencement of audit service shall be taken to be from the date of commencement of the preliminary service.

Nothing contained in this sub-regulation shall prevent a member from taking as an audit clerk, a person whose name is already entered on the Register of Audit Clerks or Articled Clerks”.

XI. In sub-regulation (2)(b) of Regulation 42A, for the words “from the date of commencement of audit service” substitute the following:—

“from the date of commencement of audit service or date of expiry of the Preliminary Service whichever is later”.

XII. In sub-regulation (3)(b) of Regulation 42A, for the words “within sixty days from the date of commencement of such service or before 31st August 1950, whichever is later” substitute the following:—

“within thirty days from the date of commencement of audit service or date of expiry of the Preliminary Service whichever is later”.

XIII. In sub-regulation (6) of Regulation 42A for the words “two months” occurring in the provisos (a) and (b) substitute the word “thirty days”.

XIV. In sub-regulation (7)(b) of Regulation 42A for the word and figure “60 days” substitute the words “thirty days”.

No. 1-CA(10)/60—The following draft of certain amendments to the Chartered Accountants Regulations, 1949, which it is proposed to make in exercise of the powers conferred by sub-sections (1) and (3) of Section 30 of the Chartered Accountants Act, 1949 (XXXVIII of 1949), is published for information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken up for consideration on or after the 24th November 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Council of the Institute of Chartered Accountants of India, New Delhi.

In the said Regulations:—

I. In Regulation 28, in the existing clause (v), add the following proviso, namely:—

“Provided that if a request for the supply of marks secured by a candidate at any examination, conducted under these Regulations, is received after the expiry of two months from the date of declaration of the results of the Examination, the same will be supplied only on payment of a fee of Rs. 2/- for each paper subject to a maximum of Rs. 5/- for all the papers in the case of the Preliminary or the First Examination or the Intermediate Examination or in any one Group of the Final Examination and Rs. 10/- only for all papers of the Final Examination”.

II. For the existing Regulation 38, substitute the following, namely:—

“38. Articled Clerk not to be engaged in any other occupation:—

No articled clerk shall, during the period of his service as articled clerk, except with the prior permission of the Council, take up any other course of study or training, whether academic or professional, or engage himself in any other business or occupation”.

III. For the existing sub-regulation (4) of Regulation 42A, substitute the following, namely:—

“(4) No audit clerk shall, during the period of his service except with the prior permission of the Council, take up any other course of study or training, whether academic or professional, or engage himself in any other business or occupation”.

IV. For the existing Regulation 96, substitute the following, namely:—

“96. Refund of Fees—(1) The fees paid by a candidate who has been admitted to an examination shall not, except as otherwise provided in sub-regulation (2), be refunded.

(2) Notwithstanding anything contained in sub-regulation (1), where a candidate applies to the Council for transfer of fees to the next examination on the ground that he was prevented from attending the examination on account of circumstances beyond his control, the Council may permit the fees paid by such candidate to be appropriated towards the fees payable for the next examination only.

Provided that no such application received after the expiry of fifteen days of the last date of the examination shall be considered.”

No. 1-CA(11)/60—The following draft of an amendment to the Chartered Accountants Regulations, 1949, which it is proposed to make in exercise of the powers conferred by sub-sections (1) and (3) of Section 30 of the Chartered Accountants Act, 1949 (XXXVIII of 1949), is published for information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken up for consideration on or after the 24th November 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Council of the Institute of Chartered Accountants of India, New Delhi.

In the said Regulations:—

In Regulation 20(ii), for the existing second proviso, substitute the following:—

“Provided further that a candidate who had entered into articles or audit service for the first time on or after 1st July 1956 and who desires to take both the Groups of the Final Examination together shall not be admitted to any examination unless he produces a certificate from the Director of Studies or the Head of the Coaching Organisation, by whatever name designated, set up under the aegis of the Council to the effect that he has undergone a course of postal tuition satisfactorily for a period of 18 months.

Provided however that such a candidate may be permitted to take any one of the Groups of the Final Examination on his producing a certificate from the Head of the Coaching Organisation as aforesaid to the effect that he has undergone a postal tuition satisfactory for a period of 12 months. Such a candidate may be permitted to take the remaining Group of the Final Examination provided he produces a certificate from the authority aforesaid that he has undergone a course of postal tuition satisfactorily for a further period of 6 months”.

E. V. SRINIVASAN
Secretary

MINISTRY OF LABOUR AND EMPLOYMENT

Employees' State Insurance Corporation

NOTIFICATION

New Delhi, the 5th October 1960

No. 3(3)-1/59-Estt.II—The following draft of an amendment to the Employees' State Insurance (General) Regulations, 1950, which the Employees' State Insurance Corporation proposes to make in exercise of the powers conferred by section 97 of the Employees' State Insurance Act, 1948 (XXXIV of 1948) is published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the draft amendment will be taken into consideration on or after the 31st October 1960.

Any objection or suggestion which may be received from any person with respect to the said draft amendment before the date specified will be considered by the said Corporation.

Draft amendment to the Employees' State Insurance (General) Regulations, 1950

1. In sub-regulation (1) of the regulation 10, insert the following clause after the existing clause (f):—

“(g) members of the Medical Benefit Council nominated by the Central Government under clauses (e), (f) and (g) of Section 10 of the Act, residing in the area, ex-officio”.

V. N. RAJAN
Director General